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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/348,634	07/06/1999	YOUNG SIK YOUN	K-093	5523

7590 08/26/2002

THE LAW OFFICE OF FLESHNER AND KIM
P O BOX 221200
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EXAMINER

GESESSE, TILAHUN

ART UNIT

PAPER NUMBER

2685

DATE MAILED: 08/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/348,634

Applicant(s)

YOUN, YOUNG SIK

Examiner

Tilahun B Gesesse

Art Unit

2685

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-20 is/are rejected.
- 7) ☒ Claim(s) 16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 18-20 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicant's specification and drawing discloses monitoring random access signaling technique between base station and mobile station. However, applicant's specification and drawing fails describe detail of a receiver and circuitry as claimed. Applicant also fails to point out the support in the specification in his remarks. Hence, the newly added claims 18-20 lacks support in such a way as to reasonably convey to one skilled in the art, for this reason, art rejection is not applied for these claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 1-15,17, are rejected under 35 U.S.C. 103(a) as being unpatentable over Corriveau et al in view of Quick ,Jr.(us 5,673,259).

As to claims 1,9,11,13,14,17 Corriveau et al disclose a method for performing a random access in a mobile communication system(10 fig.1), comprising the steps of:

Corriveau et al disclose monitoring at the base station a state of a reverse common channel, (dynamically controlling the length of an R-DATA message on a random access channel, abstract).

Corriveau et al disclose determining state information of the reverse corresponding to a result of the monitoring using one slot allocated to a forward common channel (col. 3 line53-68), and Corriveau et al disclose transmitting the state information of respective mobile stations through the forward common channel (col. 4 lines 19-26 and fig. 1).

Corriveau et al do not specifically disclose transmitting power control information . However, Quick, Jr. discloses transmitting random access and power level between remote unit 102 and cellsite 108, col. 10 lines 41-54. It would have been obvious to one of ordinary skill in the art at the time of invention was made to modify Corriveau et al. in monitoring power level of

the signaling exchange between remote and base station , as disclosed by Quick, Jr. in order to avoid collision of data during the transmission.

As to claims 2-3, Corriveau et al disclose at least two channel information bits and one power or reservation control bit, and repeated with an odd number of times (col. 2 lines 37-44 and 25 and 35 and fig.1).

As to claim 4, Corriveau et al disclose the state information of the reverse common channel corresponding to the result of the monitoring determines one of a plurality of preset state information (col.4 lines 13-17),

As to claim 8, Corriveau et al disclose the base station determines the power control command before a starting point of each slot allowed to the reserve common channel, (col.3 lines 54-68 and fig.2).

As to claim 10, Corriveau et al disclose the base station feed back the state information continuously using a portion of broadcasting channel, (fig.1).

As to claims 5-7,15, Corriveau et al disclose reserve state information representing a state in which the reverse common channel is reserve state by mobile station (fig.2).

Corriveau et al do not specifically disclose idle- normal state information representing a state in which the reverse common channel is in an idle state and not reserved by a particular mobile station. Quick, Jr discloses idle-normal state information representing a state in an idle state, (the busy/idle bit 922 is "0" state, (col. 17 lines 9-15). It would have been obvious to one ordinary skill in the art at the time of invention was made to modify Corriveau the teaching of idle state and not reserved by a particular mobile station, as disclosed by Quick, Jr. in order to avoid transmission collision and corruption of data, the system determines idle state.

Corriveau et al disclose busy down information representing both a state in which the reverse common channel is in busy state and a command for reducing a transmission power to the mobile station, (col.1 line58-col.2 line 4) and

Corriveau et al disclose busy-up state information representing both a state in which the reserve common channel is in a busy state and a command for boosting a transmission power to the mobile station (col. 4 lines 13-22). It would have been obvious to ordinary skill in the art at the time of invention was made to power up or down based on traffic load of transmission in order to avoid interfering signal.

As to claim 12, Corriveau et al do not specifically disclose the message transmission is stopped if the mobile station detects two idle state slots. However, Quick, Jr. discloses the message transmission is stopped if two idle state slots are detected by the mobile station, (col. 17 lines 39-49). It would have been obvious to ordinary skill in the art at the time of invention was made to modify Corriveau in ceasing transmission based on error detection, as disclosed by Quick,Jr.

Allowable Subject Matter

5. Claim 16 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hakkinen et al disclose power up and power down transmission based on the received signal and the subscriber terminal connection transmit repeatedly on access channel RACH, (col. 3 lines 50-62).

8. *Any response to this action should be mailed to:*

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6296, (for formal communications intended for entry)

Or:

*(703) 305-9508 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")*

*Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington.
VA., Sixth Floor (Receptionist).*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun Gesesse whose telephone number is (703) 308-5873.. The examiner can normally be reached on Monday-Friday from 8:00 am to 4:30 pm.

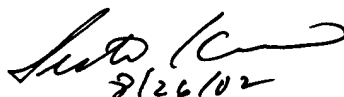
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward F. Urban, can be reached on (703) 305-4385. The fax phone number for this Group is (703) 308-6306 or (703) 308-6296.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

TBG

August 14,2002.

*Tilahun Gesesse
Patent Examiner
Art Unit 2685*


8/26/02
LESTER G. KINCAID
PRIMARY EXAMINER